

Bulk Infant Formula to Retail Shelves Act

[Public Law 117–192]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 117–192. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To amend the Harmonized Tariff Schedule of the United States to suspend temporarily rates of duty on imports of certain infant formula base powder used in the manufacturing of infant formula in the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bulk Infant Formula to Retail Shelves Act”.

SEC. 2. TEMPORARY DUTY SUSPENSIONS FOR INFANT FORMULA BASE POWDER.

(a) IN GENERAL.—Subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (in the section referred to as the “HTS”) is amended by inserting the following new subheading in numerical sequence:【See PL for quoted block. Not able to compose the pdf with the table.】”.

(b) DEFINITION AND APPLICABILITY.—The U.S. Notes to subchapter III of chapter 99 of the HTS are amended by adding at the end following:“21.(a) For purposes of subheading 9903.19.23, the term ‘infant formula base powder’ means a dry mixture of protein, fat, and carbohydrates that requires only the addition of vitamins and minerals in order to meet the definition of the term ‘infant formula’ in section 201(z) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(z)).

“(b) The necessary proof that an import is a qualifying infant formula base powder under subheading 9903.19.23 shall be established by a written notice from the Food and Drug Administration that the base powder shipment qualifies for importation under such subheading.

“(c) The duty-free treatment of infant formula base powder set forth in subheading 9903.19.23 shall apply only with respect to the

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importation of an aggregate quantity not exceeding 2,600 metric tons of such infant formula base powder.”.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall apply with respect to goods entered, or withdrawn from warehouse for consumption, during the period beginning on the third day after the date of enactment of this Act and ending at the close of December 31, 2022.

(d) **WAIVER OF OTHER DUTIES OR SAFEGUARDS.**—Notwithstanding any other provision of law, during the period described in subsection (c), articles of infant formula base powder that are classifiable under subheading 9903.19.23 of the HTS, as added by the amendment made by subsection (a), shall not be subject to any additional safeguard duties that may be imposed under subchapter IV of chapter 99 of the HTS.